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Transportation Committee  
Room 2300, Legislative Office Building  
Hartford, CT 06106  
Phone: 860-240-0590

## Public Testimony for Support and Approval of H.B.5258

### **AN ACT CONCERNING MOVING OVER WHEN APPROACHING CERTAIN EMERGENCY VEHICLES**

Chairman Lemar  
Chairman Haskell  
Honorable Members of the Transportation Committee

My name is Jeffrey Bond. I am a resident of Burlington Connecticut and a member of Burlington Volunteer Fire Department (BVFD) serving as an EMT, Firefighter, and Fire Police Member. I am also a full time Surgical PA at a Level 1 Trauma Center in the State of Connecticut. I am one of over 58,000 First Responders in the State of Connecticut

The Purpose of H.B. 5258 is to amend and define the "Slow Down" in CT Gen Stat § 14-283b better known as the "Slow Down, Move Over" law. By defining "Slow" such as 20 MPH reduction on limited access highways and 20 MPH on the remaining roadways, we will be able objectively list a safer travel speed that will protect First Responders. Several States have specified what speed a motorist must slow to while passing an emergency scene. So far in 2022, 13 Emergency Responders have been killed by motor vehicles on US roadways. First Responders include Law Enforcement, Fire, EMS, Tow Operators and DOT Staff. 13 Responders have died but we have no accurate way to count of the number of First Responders severely injured, unable to return to work or the near misses that have occurred.

All 50 States have a Slow Down/Mover Over Law. A Traffic Incident Management summary notes that four states have amended their Laws to provide a "safe" or "reduced" speed "under the speed limit" by defining "Slow Down". AAA has reported that 71 percent of Americans are unaware of Move Over laws that require drivers to reduce their speed and switch lanes to protect emergency workers (NHTSA).

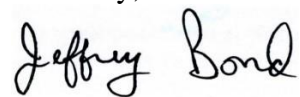
The power in this change to CT Gen Stat § 14-283 (b) will be its ability to help protect Connecticut's First Responders. In 2004 The National Fallen Firefighters Foundation created the "Everybody Goes Home" Initiative that was designed to change practices that prevent or reduce firefighter morbidity and mortality. I believe the proposed enhancement to the CT "Slow Down/Move Over" Law will reduce injuries and fatalities to all of Connecticut's First Responders.

My purpose before you today is to save lives, reduce injuries and let every Connecticut First Responder get to their next emergency call. The challenge is for the Transportation Committee to amend and provide what is "Slow" in CT Gen Stat § 14-283b during this Legislation Session. This proposal will fully support the Committees ongoing work regarding Traffic Safety as an important issue as outlined in the Major Issues of 2022 Legislative Session Report.

To the Honorable Members of this Committee, thank you for your valuable time.

If you have any questions, please feel free to contact at [jssb1224@gmail.com](mailto:jssb1224@gmail.com).

Sincerely,

A handwritten signature in black ink that reads "Jeffrey Bond". The signature is written in a cursive style with a light blue rectangular highlight behind the name.

Jeffrey Bond, PA-C, EMT-P  
Burlington Volunteer Fire Department

Attachments

Merriman-Wester dictionary defines a First Responder as “a person (such as a police officer, firefighter or an EMT) who is among those responsible for going immediately to the scene of an accident or emergency to provide assistance”.<sup>1</sup> I would add Good Samaritans and others who stop to render aid in support of First Responders. Nationally, 90 First Responders were killed in the Line of Duty (LOD) in 2019-2020.<sup>2</sup> What is not included in that statistic are the number of other personnel injured, severity of the injuries, near misses, cost for the care of those injured, and the loss of a First Responder. In 2004 The National Fallen Firefighters Foundation created the “Everybody Goes Home” Initiative that was designed to change practices that prevent or reduce firefighter morbidity and mortality.<sup>3</sup> I believe the proposed enhancements in Connecticut General Statutes, 14-283b “Move Over” Law will reduce injuries and fatalities to Connecticut’s First Responders. A “Move Over” Law was enacted to make sure “Everyone Goes Home”.



(Connecticut State Police, June 16, 2019)<sup>4</sup>

My proposed change to CGS 14-283b (2012) Section (b) would define two specific speed limits. The proposed section would read:

(b) Any operator of a motor vehicle on a highway when approaching one or more stationary emergency vehicles located on the shoulder, lane or breakdown lane of such highway shall (1) immediately reduce speed to ~~a reasonable level~~ **20 miles per hour** below the posted speed limit, **or slow to a speed of 20 miles per hour or less, when driving on a two-lane road** and (2) if traveling in the lane adjacent to the shoulder, lane or breakdown lane containing such emergency vehicle, move such motor vehicle over one lane, unless such movement would be unreasonable or unsafe.

Every State has a “Move Over” Law. There is no uniformity between each State or the Statutes. Several states have amended their “Move Over” laws to specifically state a speed limit or speed reduction required when approaching an authorized emergency vehicle or emergency scene.

Here are some examples:

- **Florida** - State law requires drivers to reduce speed to 20mph less than the posted speed limit and, if safe to do so, vacate the lane closest to stationary emergency vehicles, including towing and recovery vehicles, when traveling in the same direction. If such movement cannot be safely accomplished, the driver shall reduce speed. Also included in the law are municipal vehicles and utility vehicles.
- **Montana** - State law requires drivers approaching a stationary emergency vehicle displaying flashing lights, including towing and recovery vehicles, traveling in the same direction, to vacate the lane closest if safe and possible to do so, or slow to a safe speed. If on a highway with a speed limit 50mph or greater, the driver must slow by at least 20mph below the posted speed limit.
- **West Virginia** - State law requires drivers approaching and traveling in the same direction as a stationary authorized emergency vehicle, including a tow truck, displaying flashing lights, to change to a non-adjacent lane if safe to do so, or to slow to no more than 15 mph on a non-divided highway or 25 mph on a divided highway.<sup>5</sup>

The Traffic Incident Management Quick Reference Laws: A National Review of Best Practices summary on Move Over Laws has summarized those States Statutes that address speed reduction: a "safe" or "reduced" speed "under the posted speed limit" and a suggested speed reduction is provided (Florida, South Dakota, Texas, Wyoming).

**Florida §23.316.126. 2.** Shall slow to a speed that is 20 miles per hour less than the posted speed limit when the posted speed limit is 25 miles per hour or greater; or travel at 5 miles per hour when the posted speed limit is 20 miles per hour or less, when driving on a two-lane road, except when otherwise directed by a law enforcement officer (South Dakota §32-31-6.1 contains similar language). Wyoming, §31-5-224. (ii) When driving on a two (2) lane road, shall slow to a speed that is twenty (20) miles per hour less than the posted speed limit, except when otherwise directed by a police officer.<sup>6</sup>

➤ **Additional resources cited below from <http://www.moveoverlaws.com/>**

**TEXAS TRANSPORTATION CODE Sec. 545.157. PASSING CERTAIN VEHICLES.** (a) This section applies only to the following vehicles: (1) a stationary authorized emergency vehicle using visual signals that meet the requirements of Sections 547.305 and 547.702; (2) a stationary tow truck using equipment authorized by Section 547.305(d); and (3) a Texas Department of Transportation vehicle not separated from the roadway by a traffic control channelizing device and using visual signals that comply with the standards and specifications adopted under Section 547.105. (b) On approaching a vehicle described by Subsection (a), an operator, unless otherwise directed by a police officer, shall: (1) vacate the lane closest to the vehicle when driving on a highway with two or more lanes traveling in the direction of the vehicle; or (2) slow to a speed not to exceed: (A) 20 miles per hour less than the posted speed limit when the posted speed limit is 25 miles per hour or more; or (B) five miles per hour when the posted speed limit is less than 25 miles per hour.

#### **Oregon ORS 811.147**

811.147 Section I. is amended to read:

As used in this section, "roadside assistance vehicle means a vehicle with warning lights that responds to requests for repair assistance from motorists with disabled vehicles".

(1) A person operating a motor vehicle commits the offense of failure to maintain a safe distance from an emergency vehicle, roadside assistance vehicle, tow vehicle or ambulance if the person approaches an emergency vehicle, roadside assistance vehicle, tow vehicle or ambulance that is stopped and is displaying required warning lights and the person:

(a) On a highway having two or more lanes for traffic in a single direction, fails to:

(A) Make a lane change to a lane not adjacent to that of the emergency vehicle, roadside

assistance vehicle, tow vehicle or ambulance; or

(B) Reduce the speed of the motor vehicle to a speed that is at least 5 miles per hour under the posted speed, if making a lane change is unsafe.

(b) On a two directional, two-lane highway, fails to reduce the speed of the motor vehicle, to a speed that is at least five miles per hour under the posted speed limit.

## South Dakota

32-31-6.1.

Under the new law, motorists on Interstates and other highways with two or more lanes traveling in the same direction as the stopped vehicle, must merge into the lane farthest from the stopped vehicle and proceed with caution, unless otherwise directed. On two-lane highways, motorists must slow to a speed that is at least 20 miles per hour less than the posted speed limit or slow to 5 miles per hour when the speed limit is posted at 20 miles per hour or less and proceed with caution, unless otherwise directed.

## Louisiana

In 2008, the Legislature revised the law's wording at the request of the State Police, said trooper Gilbert Dardar, a spokesman for Troop C in Gray. The former law required drivers to slow down to 25 mph if they couldn't maneuver away, he said.

"You become a hazard going that slow," he said. The wording of the law "leaves some gray area" for an officer's discretion, he said, making it easier to ticket drivers if they aren't being cautious.

§125. Procedure on approach of an authorized emergency vehicle; passing a parked emergency vehicle

B. When any vehicle making use of any visual signals as authorized by law, including the display of alternately flashing green, amber, or yellow warning lights, is parked on or near the highway, the driver of every other vehicle shall:

(1) When driving on an interstate highway or other highway with two or more lanes traveling in the same direction, yield the right-of-way by making a lane change into a lane not adjacent to the parked vehicle, if possible with due regard to safety and traffic conditions. If a lane change is not possible, the driver shall slow to a reasonably safe speed.

(2) Maintain a safe speed for road conditions, if unable or unsafe to change lanes, or driving on a two-lane road or highway.

## Alabama

Section 32-5A-58.2 - Moving over or reducing speed when approaching law enforcement or emergency vehicles.

(a) This section shall be known as the "Alabama Move Over Act."

(b)(1) When an authorized law enforcement vehicle or emergency vehicle making use of any visual signals is parked, or a wrecker displaying amber rotating or flashing lights is performing a recovery or loading on the roadside, the driver of every other vehicle, as soon as it is safe, shall do the following:

a. When driving on an interstate highway or other highway with two or more lanes traveling in the direction of the law enforcement vehicle, emergency vehicle, or wrecker, the driver shall vacate the lane closest to the emergency vehicle or wrecker unless otherwise directed by a law enforcement officer. If not safe to move over, the driver shall slow to a speed that is at least 15 miles per hour less than the posted speed limit unless otherwise directed by a law enforcement officer.

b. When driving on a two-lane road, the driver shall move as far away from the emergency vehicle as possible within his or her lane and slow to a speed that is 15 miles per hour less than the posted speed limit when the posted speed limit is 25 miles per hour or greater or travel at 10 miles per hour when the posted speed limit is 20 miles per hour or less, unless otherwise directed by a law enforcement officer.

## New Jersey

Statute 39:4-92.2

Procedure for motorist approaching stationary authorized emergency vehicle, tow truck, highway maintenance or emergency service vehicle.

1. a. The operator of a motor vehicle approaching a stationary authorized emergency vehicle as defined in R.S.39:1-1 that is displaying a flashing, blinking or alternating red or blue light or, any configuration of lights containing one of these colors, shall approach the authorized emergency vehicle with due caution and shall, absent any other direction by a law enforcement officer, proceed as follows:

(1) Make a lane change into a lane not adjacent to the authorized emergency vehicle if possible in the existing safety and traffic conditions; or

(2) If a lane change pursuant to paragraph (1) of subsection a. of this section would be impossible, prohibited by law or unsafe, reduce the speed of the motor vehicle to a reasonable and proper speed for the existing road and traffic conditions, which speed shall be less than the posted speed limit, and be prepared to stop.

## Connecticut proposed change

The proposed change to the current CGS 14-238b will not change the difficulty inherent with "Move Over" laws.<sup>7</sup> The responsibility to abide by the Statutes lies with the motor vehicle operator. First Responders to an

emergency scene are preoccupied with incident management and the care of victims. With limits on resources today, it would be extremely difficult to assign additional Law Enforcement to look for "Move Over" violations. We have a Law that describes what the vehicle operator must do, but never enough personnel to enforce this Law. In October of 2020, the Connecticut State Police employed 940 Officers. Its full staff benchmark is 1,040 Officers.

## **"Attention All Drivers"**

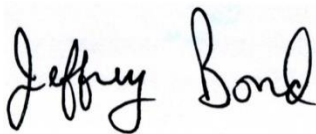
### **Help Canton's Volunteer Firefighters, EMT's Fire Police and Cadets avoid line of duty deaths**

**Dispatches:** July 12, 1987.... Canton's volunteer fire, EMS and Fire Police crews were conducting a training drill that involved a 'staged' car accident on Rte. 44. Without warning, a driver, impatient with the line of cars stopped in front of him, darted out into the roadway. The force with which he ran into 65-year-old Art Vincent, pitched the veteran Fire Police Officer into the air, eventually landing his broken body back on the roadway, 50 feet away. Vincent died of his injuries later that evening."<sup>8</sup> Art Vincent was a great man! He was a humble World War II Veteran, married and a member of Collinsville Volunteer Fire Police. His was the first Line of Duty Death (LODD) funeral that I had attended.

The key addition to the Connecticut "Move Over" law is to define the speed limit at an emergency scene. On limited access highways speeds may approach 70 mph. On two-way roadways, speed limits may be as high as 55 mph, our two-way roadways often do not have areas to "Move Over". In the CGS 14-283b, it says "immediately reduce speed when approaching an emergency scene. This is subjective, not defined, and is left up to the motor vehicle operator. A "reduced speed" may be just under the posted speed limit. If a first responder were struck by a motor vehicle traveling at or near the posted speed limits, very serious injuries or death could occur, or would be likely.

The purpose of this proposed legislation is to eliminate unnecessary death or injuries, reduce morbidity and allow everyone to hopefully "go home". In 2016, there were 6,628 Municipal Law Enforcement Officers, 940 State Troopers, 28,600 Firefighters, (4450 municipal) and over 20,000 EMS Providers in the State of Connecticut. There were a reported 116,117 motor vehicle accidents in that year. Of these 116,117 accidents, it is uncertain how many avoidable injuries were to First Responders.

Sincerely,

A handwritten signature in black ink that reads "Jeffrey Bond". The signature is written in a cursive, flowing style.

Jeffrey Bond, PA-C, EMT-P, FF1  
Burlington Connecticut

## References

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5. Move Over Law, *AAA Digest of Motor Laws*. Copyright © 2021 AAA/CAA Digest of Motor Laws, <https://drivinglaws.aaa.com/tag/move-over-law/> accessed 12 Jan 2021
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8. Lockwood, Bruce, Chief of Department, Town of Canton Fire and EMS. "*Attention All Drivers: Help Canton's Volunteer Firefighters, EMTs, Fire Police and Cadets Avoid Line of Duty Deaths.*" *Valuing Life at a Moment's Notice... Thoughts on Community Safety* The Valley Press, 4 September 2020, p, 19.



## **Universal Citation: [CT Gen Stat § 14-283b](#)**

### **Chapter 248 - Vehicle Highway Use**

#### **Section 14-283b - Motor vehicle operator required to move over when approaching stationary emergency vehicle.**

(a) For the purpose of this section “emergency vehicle” means any vehicle with activated flashing lights (1) operated by a member of an emergency medical service organization responding to an emergency call, (2) operated by a fire department or by any officer of a fire department responding to a fire or other emergency, (3) operated by a police officer, (4) that is a maintenance vehicle, as defined in section 14-1, or (5) that is a wrecker, as defined in section 14-1, “police officer” has the meaning set forth in section 7-294a, and “highway” has the meaning set forth in section 14-1, provided such highway has two or more travel lanes that proceed in the same direction.

(b) Any operator of a motor vehicle on a highway when approaching one or more stationary emergency vehicles located on the shoulder, lane or breakdown lane of such highway shall (1) immediately reduce speed to a reasonable level below the posted speed limit, and (2) if traveling in the lane adjacent to the shoulder, lane or breakdown lane containing such emergency vehicle, move such motor vehicle over one lane, unless such movement would be unreasonable or unsafe.

(c) Any person who violates the provisions of subsection (b) of this section shall have committed an infraction, except that if such violation results in the injury of the operator of an emergency vehicle, such person shall be fined not more than two thousand five hundred dollars and, if such violation results in the death of the operator of an emergency vehicle, such person shall be fined not more than ten thousand dollars.

## **Additional Support Information**

### **Slow Down/Move Over**

AAA is in the business of rescuing millions of stranded motorists across the country each year. At the heart of this effort are service technicians and tow truck operators who put their lives at risk each time they respond to a member's call for help.

Sadly, every year about 23 roadside workers and first responders (one every two weeks) loses their life at the roadside and hundreds more are injured while tending to disabled vehicles. Despite being passed in all 50 states, 71 percent of Americans are unaware of Move Over laws that require drivers to reduce their speed and switch lanes to protect these workers (NHTSA).

Since 2007, AAA has been instrumental in passing [Move Over laws](#) in all states, including advocating for those laws to cover tow truck drivers and first responders. Additionally, AAA clubs have participated in educational and advocacy initiatives, creating public service announcements and reaching out to state legislative officials.

But, there is more work to be done. AAA is committed to raising awareness of the Move Over law and the dangers associated with working at the roadside.

These laws require motorists to move over one lane or slow down when approaching an incident where tow operators, police, firefighters or emergency medical service crews are working at the roadside. Many states have also expanded their laws to cover other vehicles, such as utility and municipal (e.g. sanitation vehicles) fleets, as well as any disabled vehicle on the side of the road.

To protect roadside workers and improve highway safety, AAA offers these precautionary tips:

- Always remain alert. Avoid distractions and focus on the task of driving.
- Watch for situations where emergency vehicles, tow trucks, utility service vehicles or disabled vehicles are stopped on the side of the road.
- When approaching an emergency vehicle with lights flashing on the side of a two-lane roadway, drivers should slow down to a speed that is safe and approach with caution unless otherwise directed by an emergency worker on the scene. Some states recommend slowing to a speed that is 10-20 mph less than the posted speed limit.
- On multi-lane roadways, slow down when you see the flashing lights of an emergency vehicle at the roadside and, if possible, move over into an adjacent lane. If you are unable to switch lanes, slow to a speed that is safe and reasonable. Some states recommend slowing to a speed that is 10-20 mph less than the posted speed limit.

### **Opinion Review of the proposed Amendment:**

*“ In general, the attached is a well written letter and the proposal to include some more specific information regarding the specific reduction in traveling speed is worthy of consideration.*

*This is the first time I have read about this issue, but my initial reaction is that a 20 mph reduction below the speed limit -on limited access roadways- is reasonable. Vehicles traveling on limited access facilities with 55 to 65 mph speed limits, could reasonably be expected to reduce their speeds to 35 or 45 mph.*

*Also, slowing to 20 mph or less on a two lane road is also reasonable. An incident on a 2 lane road would be on the shoulder in the best case, and most likely partially in the travel lane. So, traveling vehicles have very little distance , between them and the responder or disabled vehicle, so reducing to 20 mph is reasonable.*

*The letter notes the difficulties in enforcement, and I would expect that would be one major obstacle to getting this approved. However the issue is worth of discussion and consideration.”*

